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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,584	02/09/2004	Zhi-Heng Nian	PAT-1549	1747

Raymond Sun
Suite 155
20 Corporate Park
Irvine, CA 92606

EXAMINER

YUN, EUGENE

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/775,584

Applicant(s)

NIAN, ZHI-HENG

Examiner

Eugene Yun

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Shah et al. (US 6,957,069).

Referring to Claim 1, Shah teaches a method of communicating in a wireless network which includes a computer, a wireless communicating device and a peripheral device, comprising:

a) providing the wireless communicating device with a network-setting list that has a list of service set identifiers (SSID) (see col. 2, lines 63-66);

b) conducting a linking detection so as to locate a linking request from the computer or the peripheral device, each linking request having a specific SSID (see col. 2, line 67 to col. 3, line 4); and

c) processing the linking request in ad-hoc mode if the specific SSID matches one of the SSIDs in the network-setting list, and processing the linking request in infrastructure mode if the specific SSID does not match one of the SSIDs in the network-setting list (see col. 2, lines 55-62).

Referring to Claim 9, Shah teaches a method of communicating in a wireless network with a wireless communicating device of a computer, the method comprising:

Receiving a network-setting list from the computer, the network setting list having a list of service set identifiers (SSID) (see col. 2, lines 63-66);

The wireless communicating device locating a linking request based on an acceptable SSID that is found in the network setting list (see col. 2, line 67 to col. 3, line 4); and

Processing the linking request in the ad-hoc mode with a near-end device or in the infrastructure mode with a remote-end device, depending on whether the acceptable SSID is found in the network setting list (see col. 2, lines 55-62).

Referring to Claims 2 and 10, Shah also teaches the wireless communicating device activating the ad-hoc mode and the infrastructure mode (see col. 2, lines 5-12).

Referring to Claims 3 and 11, Shah also teaches the wireless communicating device as a wireless network card which complies with a standard wireless network communication protocol (see col. 9, lines 55-61).

Referring to Claims 4 and 12, Shah also teaches initializing a firmware in the wireless communicating device to activate the ad-hoc mode and the infrastructure mode (see col. 2, lines 17-31).

Referring to Claims 5 and 13, Shah also teaches the linking request including a transmitting request or a receiving request (see col. 2, lines 49-54).

Referring to Claims 6 and 14, Shah also teaches the peripheral device selected from the group consisted of computer mouse, trackball, keyboard, joystick, tablet, touch pad, game controller, scanner and printer (see col. 2, lines 19-22).

Referring to Claim 7, Shah also teaches the computer providing the wireless communicating device with the network-setting list (see col. 2, lines 63-66).

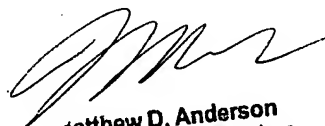
Referring to Claim 8, Shah also teaches conducting a linking detection so as to locate a linking request from a remote server, the computer or the peripheral device, each linking request having a specific SSID (see col. 2, line 67 to col. 3, line 4).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Matthew D. Anderson
Supervisory Patent Examiner



Eugene Yun
Examiner
Art Unit 2618

EY